

REMARKS

Claims 15-28 are currently being cancelled in lieu of new claims 29-61.

In particular, new claim 29 corresponds to previously pending claims 15 and 16; new claims 30-39 correspond to previously pending claims 19-28; new claim 40 corresponds to previously pending claims 15 and 17; new claims 41-50 correspond to previously pending claims 19-28; new claims 51 corresponds to previously pending claims 15 and 18; and new claims 52-61 correspond to previously pending claims 19-28.

The current amendments do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, the Examiner is respectfully requested to enter the amendments, and allowance of the claims is earnestly solicited.

1. Allowable Subject Matter

The Office Action states on page 5, lines 1-3,

Claims 16-18 are objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim.

RESPONSE

Applicant respectfully thanks the Examiner for acknowledging previously pending claim 16-18 would be allowable if rewritten in independent form. Accordingly, Applicant has cancelled previously pending claims 15-28, and submitted new claims 29-61, wherein new

claim 29 corresponds to previously pending claims 15 and 16; new claims 30-39 correspond to previously pending claims 19-28; new claim 40 corresponds to previously pending claims 15 and 17; new claims 41-50 correspond to previously pending claims 19-28; new claims 51 corresponds to previously pending claims 15 and 18; and new claims 52-61 correspond to previously pending claims 19-28.

As such, Applicant respectfully believes new claims 29-61 are patentably distinguishable over the prior art of record, and respectfully solicits an allowance of claims 29-61.

2. Objection to Specification

The Office Action states on page 2, lines 3-5,

The disclosure is objected because of the following informalities: a brief description of the drawings has not been provided. See 37 CFR 1.74.

Appropriate correction is required.

RESPONSE

Applicant respectfully traverses the above objection.

In particular, Fig. 1 is described on page 10, lines 16-19, and Fig. 2 is described on page 11, lines 22-24 in Applicant's specification.

Accordingly, Applicant respectfully believes Applicant's specification satisfies 37 CFR §1.74. As such, Applicant respectfully requests the objection to be withdrawn.

3. Rejection of Claim 15 and 19-28

The Office Action states on page 3, line 1 - page 4, line 15,

Claims 15 and 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0825204, in view of WO 02/41986.

EP '204 discloses a continuous process for polymerizing olefins in a fluidized bed reactor, wherein a gaseous stream withdrawn from the reactor is recycled by cooling and separating condensed liquid from the gaseous stream in a separator integral with the reactor and located under the fluidization grid (i.e., distributor plate), as in the claimed process. See paragraphs 0013 and Figs. 1-2 of EP '204. Per paragraph 0026, it is preferred that substantially the whole of the recycled gaseous stream is cooled and separated and substantially the whole of the separated liquid is introduced into the fluidized bed.

EP '204 differs from the claimed subject matter only in failing to disclose the claimed step of feeding at least a portion of the separated, condensed liquid above the fluidized bed via an external pipe connecting a bottom of the fluidized bed reactor to a position above the upper limit of the fluidized bed.

WO '986 discloses a fluidized bed reactor characterized by one or more external pipes connecting the lower part of the reaction chamber to a top part thereof and/or the outlet section, situated above the reaction chamber; see page 3, line 19-22 and Fig. 1/1. By affording a greater supply of liquid to the reactor (relative to supplied amount of gas), the presence of the connecting pipe(s) is taught to result in higher production rates than in known reactors of equal dimensions (page 3, 11. 23-27). Condensed mode operation of the disclosed reactor in a continuous process for polymerizing olefins is detailed on pages 7-9. Recycling a gas-liquid mixture to the reactor is detailed at page 8, lines 30+.

Thus, WO '986 teaches, as alternative embodiments, terminating the external pipe in the wall of the reaction chamber or the outlet section of the reactor (pp. 4-5, bridging paragraph), for the purpose of transporting condensed liquid to the upper portion of a fluidized bed reactor in order to enhance production rate.

Since EP '204 is similarly concerned with achieving higher levels of productivity via enhanced cooling levels (see, e.g., page 10, ll. 18+), it would have been obvious to an ordinary skilled practitioner at the time of applicants' invention to modify the process disclosed therein by feeding the condensed, separated liquid through an external pipe(s) as per WO '986 to a position above the upper limit of the fluidized bed, as claimed. The expectation of thereby providing an alternative continuous polymerization process with comparable improvements in production rate would have provided the requisite motivation to those of ordinary skill in the art to modify the primary reference so as to produce the instantly claimed invention.

RESPONSE

Claims 15 and 19-28 have been cancelled rendering the above rejection moot.

Additionally, Applicant has submitted new claims 29-61, wherein, new claim 29 corresponds to previously pending claims 15 and 16; new claims 30-39 correspond to previously pending claims 19-28; new claim 40 corresponds to previously pending claims 15 and 17; new claims 41-50 correspond to previously pending claims 19-28; new claims 51 corresponds to previously pending claims 15 and 18; and new claims 52-61 correspond to previously pending claims 19-28.

Accordingly, in light of the Examiner's acknowledgement in the current Office Action on page 5, lines 1-3, that previously pending claims 16-18 would be allowable if rewritten in independent form, Applicant respectfully believes new claims 29-61 are patentably distinguishable from the prior art of record. As such, Applicant kindly solicits for an allowance of new claims 29-61.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the objection and rejection, and allow all pending claims 29-61. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practitioner if any questions or comments arise.

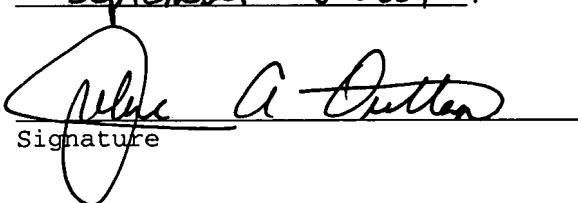
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